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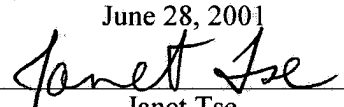
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Page 1

Patent Docket P1795R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PT#4

In re Application of  Wyne P. Lee et al.  Serial No.: 09/738,540  Filed: 14 December 2000  For: TREATMENT METHOD	Group Art Unit: 1644  Examiner: To be assigned  <div style="text-align: center;"><b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on  June 28, 2001  Janet Tse</div>
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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

☒ **37 CFR §1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); **or**
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, **or**
- before the mailing of the first Office action on the merits; **or**
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

☐ **37 CFR §1.97(c)**

- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) **or** a statement as specified in 37 CFR §1.97(e), as checked below.

☐ **37 CFR §1.97(d)**

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

- ☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith.

A copy of the PCT Search Report is also supplied.

A concise explanation of relevance of the items listed on PTO-1449 is:

☒ not given

☐ given for each listed item

☐ given for only non-English language listed item(s) [Required]

☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

In the event that the Office determines a fee to be due where none is specifically authorized in this paper, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p).

Respectfully submitted,

GENENTECH, INC.

Date: June 28, 2001

By:

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PATENT TRADEMARK OFFICE



FORM PTO-1449

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Atty Docket No.

P1795R1

Serial No.

09/738,540

**LIST OF DISCLOSURES CITED BY APPLICANT**

(Use several sheets if necessary)

Applicant

Lee et al.

Filing Date

14 Dec 2000

Group

1644

**U.S. PATENT DOCUMENTS**

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	1	5,336,603	09.08.94	Capon et al.			
	2	5,514,582	07.05.96	Capon et al.			
	3	5,565,335	15.10.96	Capon et al.			
	4	5,594,106	14.01.97	Black et al.			
	5	5,605,690	25.02.97	Jacobs et al.			
	6	5,629,285	13.05.97	Black et al.			
	7	5,654,407	05.08.97	Boyle et al.			
	8	5,656,272	12.08.97	Le et al.			
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	26	WO 00/56363	28.09.00	PCT				
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	30	WO 92/16553	01.10.92	PCT				
	31	WO 97/29131	14.08.97	PCT				
	32	WO 98/22137	28.05.98	PCT				
	33	WO 98/23761	04.06.98	PCT				

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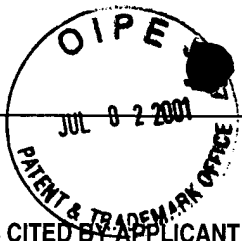
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